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1	[All counsel listed on signature page]		
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8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10	SAN JOSE DIVISION		
11	AVAGO TECHNOLOGIES GENERAL IP PTE LTD. and AVAGO TECHNOLOGIES ECBU IP	) Case No. 5:04-cv-05385-JW	
12	LTD.,	) STIPULATION AND [PROPOSED] ) ORDER CONTINUING HEARING ON	
13	Plaintiff,	) DEFENDANTS' MOTIONS FOR ) SUMMARY JUDGMENT	
14	V.	) )	
15	ELAN MICROELECTRONICS CORP., a Taiwanese corporation, and ELAN	) )	
16	INFORMATION TECHNOLOGY GROUP, a California corporation,	) )	
17	Defendants.	) )	
18		ý )	
19	AND RELATED COUNTERCLAIMS.	ý )	
20		,	
21	This action involves inter alia claims for patent infringement and counterclaims for		
22	invalidity and noninfringement of the following patents of Plaintiff Avago Technologies		
23	("Avago"): U.S. Patent No. 6,433,780, entitled "Seeing Eye Mouse For A Computer System,"; and		
24	U.S. Patent No. 5,786,804, entitled "Method and System for Tracking Attitude."		
25	On July 11, 2006, Defendants Elan Microelectronics Corp. and Elan Information		
26	Technology Group (collectively "Defendants") filed motions for summary judgment for		
27	noninfringement of each patent in suit. (Docket Nos. 89, 94.) The Court continued the hearing on		
28	these motions to September 18, 2006, at 9:00 a.m.		
	STIPULATION AND [PROPOSED] ORDER CONTINUING HEARING ON MOTIONS FOR SUMMARY JUDGMENT		

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1	On August 18, 2006, the Court issued its claim construction order and set a further case		
2	management conference also for September 18, 2006.		
3	Counsel for the parties have since met and conferred and, in light of discovery that Avago		
4	is taking in connection with Defendants' Motions, including depositions of Chinlee Wang and Dr.		
5	Berthold Horn, hereby stipulate and agree and ask the Court to order as follows:		
6	(1) Defendants' Motions for Summary Judgment currently set for September 18, 2006 may		
7	be reset for hearing for Monday October 30, 2006, at 9:00 a.m., or as soon thereafter as the Court's		
8	calendar and convenience permits;		
9	(2) The further CMC currently set for September 18, 2006 may also be reset for Monday,		
10	October 30, 2006 directly before or after the Motions for Summary Judgment.		
11	(3) Avago's Oppositions to Defendants' Motions for Summary Judgment shall be filed		
12	Monday, October 2, 2006.		
13	(4) Defendants' Reply Memoranda in support of Defendants' Motions for Summary		
14	Judgment shall be filed on Monday, October 16, 2006.		
15	Respec	etfully Submitted,	
16	2 400 40. 110 5 400 400 400 400 400 400 400 400 400	& MANELLA LLP	
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22	22		
23		Alan Heinrich	
24	24 Att	orneys for and Plaintiffs	
25	75	AGO TECHNOLOGIES GENERAL IP E LTD. and AVAGO TECHNOLOGIES	
26	26 EC	BU IP PTE LTD.	
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1	Dated: August 23, 2006 AKIN GUMP STRAUSS HAUER & FELD, LLP	
2	Yitai Hu – yhu@akingump.com ( <i>pro hac vice</i> ) Elizabeth H. Rader – erader@akingump.com	
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5	Facsimile: (415) 765-9501	
6	By: /s Elizabeth H. Rader	
7	Attorneys for Defendants	
	Elan Microelectronics Corp., and Elan	
8	Information Technology Group	
9 10	document has been obtained from Flizabeth Rader. Attorney for Defendants and Counterclaim-Plaintiffs	
11		
12	Dated: August 23, 2006 By:	
13	Alan J. Heinrich	
14	PURSUANT TO STIPULATION OF THE PARTIES AND GOOD CAUSE APPEARING	
15	THEREFORE, IT IS HEREBY ORDERED that: (1) Defendants' Motions for Summary	
16	Judgment (Docket Nos. 89, 94) and (2) the further Case Management Conference shall all be reset	
17	for Monday October 30, 2006, at 9:00 a.m., or; CMC is set 10/30/06 at 10:00 a.m.	
18	(3) Avago's Oppositions to Defendants' Motions for Summary Judgment are due Monday,	
19	October 2, 2006; and (3) Defendants' Reply Memoranda in support of Defendants' Motions for	
20	Summary Judgment are due Monday, October 16, 2006.	
21		
22	IT IS SO ORDERED.	
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24	Dated: <u>August 28, 2006</u>	
25	JAMES WARE VNITED STATES DISTRICT JUDGE	
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STIPULATION AND [PROPOSED] ORDER CONTINUING HEARING ON MOTIONS FOR SUMMARY JUDGMENT